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#18

April 7, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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**APR 18 2005**

**Technology Center 2100**

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on

4-8-2005 Sallie Spicer  
Date Sallie Spicer

**Re: Notice of Abandonment**

**U.S. Patent Application No. 09/541,137**

**Filed: March 31, 2000**

**Titled: METHOD AND SYSTEM FOR IDENTIFYING  
MANUFACTURING ANOMALIES IN A MANUFACTURING SYSTEM**

**Inventor: Douglas J. Durrant et al.**

Our office recently received a Notice of Abandonment (Form PTO-1432) for the above-referenced patent application. The notice stated the application was abandoned due to Applicant's failure to respond to an Office Action mailed May 3, 2004. A copy of the Notice of Abandonment is attached.

Abandonment of the above-referenced application is believed to be in error. A response to the Office Action dated May 3, 2004 was placed in the U.S. mail as certified mail on August 3, 2004, and received by the Patent and Trademark Office Mail Center August 6, 2004. Enclosed herewith are:

1. A copy of the Notice of Abandonment (Form PTO-1432) for the above-referenced patent application;
2. A duplication of the response mailed to the Patent and Trademark Office on August 3, 2004;
3. A copy of a certified mail return receipt date stamped by the Patent and Trademark Office Mail Center with the date August 6, 2004;
4. A copy of a Mail Acknowledgement post card date stamped by the Patent and Trademark Office Mail Center with the date August 6, 2004; and
5. A file history printout from the USPTO PAIR System indicating that an amendment was received by the USPTO on August 6, 2004.

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OIPE JCA 6

Commisioner for Patents

August 6, 2004

Page 2

I hope that the information I have attached allows you to continue prosecution of this patent application. Please contact me in writing at the above address or by telephone at (937) 445-7663 if additional information is required.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Stover", with a stylized flourish at the end.

James M. Stover, Senior Attorney

NCR Corporation

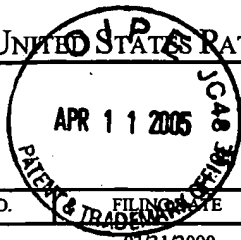
Intellectual Property Section, Law Department, ECD-2

937 445-7663

FAX: 937 445-6794



UNITED STATES PATENT AND TRADEMARK OFFICE



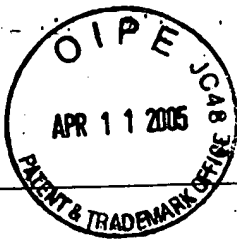
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/541,137	03/31/2000	Douglas J. Durrant	K35A0568 (10994)	3023
26890	7590	03/04/2005	EXAMINER	
JAMES M. STOVER NCR CORPORATION 1700 SOUTH PATTERSON BLVD, WHQ4 DAYTON, OH 45479			RAO, SHEELA S	
			ART UNIT	PAPER NUMBER
			2125	

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Notice of Abandonment

Application No.

09/541,137

Examiner

Sheela Rao

Applicant(s)

APR 18 2005

DURRANT ET AL

Art Unit

2125

Technology Center 2100

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

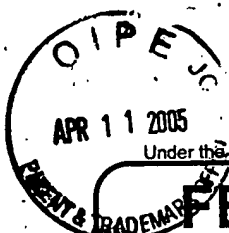
This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on 03 May 2004.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

Verification of abandonment was attempted on 2/22/05.

LEO PICARD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110.00

## Complete if Known

Application Number 09/541,137  
Filing Date March 31, 2000  
First Named Inventor Douglas J. Durrant  
Examiner Name Sheela S. Rao  
Art Unit 2125  
Attorney Docket No. 10994

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-1673

Deposit Account Name NCR Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) 37 CFR 120(d) Term Disclaimer Fee					110.00
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$) 110.00

## SUBMITTED BY

Name (Print/Type) James M. Stover  
Signature

Registration No. 32,759  
(Attorney/Agent)

(Complete if applicable)

Telephone 937-445-7663  
Date August 3, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CERTIFIED MAIL

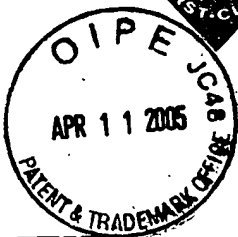


7004 0750 0003 9112 2506

JAMES M. STOVER  
LAW DEPARTMENT, IP, WHO-4  
NCR CORPORATION  
1700 S. PATTERSON BLVD.  
DAYTON, OH 45479-0001



**First Class Mail**  
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MAIL STOP Amendment  
COMMISSIONER FOR PATENTS  
P O BOX 1450  
ALEXANDRIA VA 22313-1450



MAIL ACKNOWLEDGMENT  
X-2211-41 12/99

Serial Number 09/541,137	Date Filed 3/31/2000	TO PATEENT AND TRADEMARK OFFICE	
Inventor's Name D. J. Durant, et al.		Please acknowledge date received and return card to NCR Corporation	
ITEM MAILED			
<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Maintenance Fee	<input type="checkbox"/> Application Papers	<input type="checkbox"/> Docket Number (10994)
<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> IDS	<input type="checkbox"/> Letter in Re Drawings	<input checked="" type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Missing Parts			

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Article Addressed to:

MAIL STOP Amendment  
COMMISSIONER FOR PATENTS  
P O BOX 1450  
ALEXANDRIA VA 22313-1450

Article Number

(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
☒ X ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? (If YES, enter delivery address below)

3. Service Type  
☒ Certified Mail ☐ Express Mail

☐ Registered ☐ Return Receipt for Merchandise

☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, August 2001

7004 0750 0003 9112 2506

102565-02-44-1540



## MAIL ACKNOWLEDGMENT

X-211-7.1 12/99

TO	
Serial Number <b>09/541,137</b>	Date Filed <b>3/31/2000</b>
Inventor's Name <b>D. J. Durrant, et al.</b>	
ITEM MAILED	
<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Maintenance Fee
<input checked="" type="checkbox"/> Amendment	<input type="checkbox"/> Application Papers
<input type="checkbox"/> IDS	<input checked="" type="checkbox"/> Docket Number (10994)
<input type="checkbox"/> Letter in Re Drawings	<input checked="" type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Missing Parts	

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**AUG 06 2004**  
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1. Article Addressed to:

MAIL STOP *Amendment*  
COMMISSIONER FOR PATENTS  
P O BOX 1450  
ALEXANDRIA VA 22313-1450

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

- ☒ Agent  
☐ Addressee

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes  
YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail  
☐ Registered  
☐ Insured Mail  
☐ Express Mail  
☒ Return Receipt for Merchandise  
☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

- ☐ Yes

2. Article Number

(Transfer from service label)

10994

7004 0750 0003 9112 2506

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-15



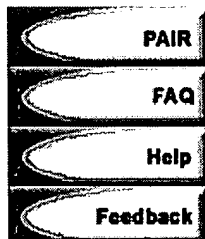
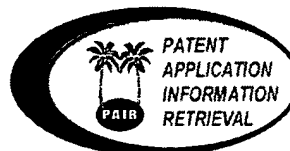
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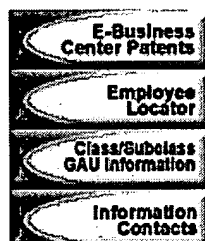
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## PATENT APPLICATION INFORMATION RETRIEVAL



## Other Links



Printer Friendly Version

Search results as of: 4-5-2005::15:32:34 E.T.

Search results for application number: 09/541,137			
Application Number:	09/541,137	Customer Number:	26890
Filing or 371(c) Date:	03-31-2000	Status:	Abandoned – Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	03-04-2005
Examiner Name:	RAO, SHEELA S	Location:	FILE REPOSITORY (FRANCONIA)
Group Art Unit:	2125	Location Date:	03-08-2005
Confirmation Number:	3023	Earliest Publication No:	-
Attorney Docket Number:	K35A0568	Earliest Publication Date:	-
Class/ Sub-Class:	700/108	Patent Number:	-
First Named Inventor:	Douglas Durrant, Mission Viejo, CA	Issue Date of Patent:	-
Title Of Invention:	Method and system for identifying manufacturing anomalies in a manufacturing system		

Select Search Option

Assignments  
Display References  
Image File Wrapper

Search

## File History

Date	Contents Description
03-04-2005	Mail Abandonment for Failure to Respond to Office Action
03-04-2005	Abandonment for Failure to Respond to Office Action
08-06-2004	Workflow incoming amendment IFW
05-03-2004	Mail Non-Final Rejection
04-30-2004	Non-Final Rejection
02-20-2004	Date Forwarded to Examiner
02-06-2004	Response after Non-Final Action
02-06-2004	Request for Extension of Time - Granted
10-03-2003	Mail Non-Final Rejection
09-29-2003	Non-Final Rejection
09-16-2003	Date Forwarded to Examiner
09-08-2003	Amendment after Final Rejection
09-08-2003	Request for Extension of Time - Granted
05-06-2003	Mail Final Rejection (PTOL - 326)
05-05-2003	Final Rejection



02-08-2003	Date Forwarded to Examiner
02-03-2003	Response after Non-Final Action
02-03-2003	Information Disclosure Statement (IDS) Filed
02-03-2003	Request for Extension of Time - Granted
09-26-2002	Mail Non-Final Rejection
09-25-2002	Non-Final Rejection
04-03-2002	Case Docketed to Examiner in GAU
01-24-2002	Case Docketed to Examiner in GAU
10-06-2000	Case Docketed to Examiner in GAU
07-13-2000	Case Docketed to Examiner in GAU
07-07-2000	Application Dispatched from OIPE
07-07-2000	Application Is Now Complete
06-13-2000	Notice Mailed--Application Incomplete--Filing Date Assigned
06-13-2000	Correspondence Address Change
04-20-2000	IFW Scan & PACR Auto Security Review
03-31-2000	Initial Exam Team nn

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